

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	CONSENT PRELIMINARY ORDER
- v. -	:	OF FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
FLOR SOTO,	:	
a/k/a “Flor Cordones,”	:	S13 13 Cr. 147 (KMW)
Defendant.	:	
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WHEREAS, on or about July 8, 2014, FLOR SOTO (the “Defendant”), among others, was charged in six counts of an eight-count Superseding Indictment, S13 13 Cr. 147 (KMW) (the “Indictment”), with conspiracy to steal government funds, in violation of Title 18, United States Code, Section 371 (Count Three); theft of government funds, in violation of Title 18, United States Code, Sections 641 & 2 (Count Four); aggravated identity theft, in violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(1) & 2 (Count Five); conspiracy to steal government funds, in violation of Title 18, United States Code, Section 371 (Count Six); theft of government funds, in violation of Title 18, United States Code, Sections 641 & 2 (Count Seven); and aggravated identity theft, in violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(1) & 2 (Count Eight);

WHEREAS, the Indictment included a forfeiture allegation as to Count Four of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461 of any property, real or personal, which constitutes or is derived from proceeds traceable to the offense charged in Count Four of the Indictment;

WHEREAS, on or about June 17, 2016, the Defendant pled guilty to Count Four of the Indictment, pursuant to a plea agreement with the Government, wherein the Defendant

admitted the forfeiture allegation with respect to Count Four and agreed to forfeit, a sum of money equal to \$24,719,724 in United States currency, representing the amount of proceeds derived from the offense in Count Four of the Indictment;

WHEREAS, on or about January 13, 2017, the Court entered a Consent Preliminary Order of Forfeiture/Money Judgment imposing a forfeiture money judgment in the amount of \$24,719,724 in United States currency against the Defendant (D.E. 525);

WHEREAS the Court of Appeals, Second Circuit, has vacated the forfeiture money judgment and remanded this matter to this Court to determine the appropriate forfeiture money judgment amount in light of *United States v. Honeycutt*;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$700,476 in United States currency representing the amount of proceeds traceable to the offense charged in Count Four of the Indictment that the Defendant personally obtained;

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offense charged in Count Four of the Indictment that the Defendant personally obtained cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Audrey Strauss, United States Attorney, Assistant United States Attorney, Andrew Adams of counsel, and the Defendant, and her counsel, Alessandra DeBlasio, Esq., that:

1. As a result of the offense charged in Count Four of the Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$700,476 in United States currency (the “Money Judgment”), representing the amount of proceeds traceable to the offense charged in

Count Four of the Indictment that the Defendant personally obtained, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, FLOR SOTO, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Department of Treasury, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number

4. The United States Department of Treasury or its designee shall be authorized to deposit the payment on the Money Judgment in the Treasury Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to 21 U.S.C. § 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.


7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

AUDREY STRAUSS
United States Attorney for the
Southern District of New York

By:



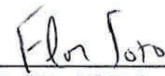
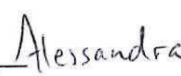
Andrew Adams
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2340

7/19/2021

DATE


FLOR SOTO

By:

 by Attorney 
FLOR SOTO DeBlasio

7/19/21
DATE

By:



Alessandra DeBlasio, Esq.
Attorney for Defendant

7/19/21
DATE

SO ORDERED:

/s/ Kimba M. Wood

HONORABLE KIMBA M. WOOD
UNITED STATES DISTRICT JUDGE

7/21/21

DATE